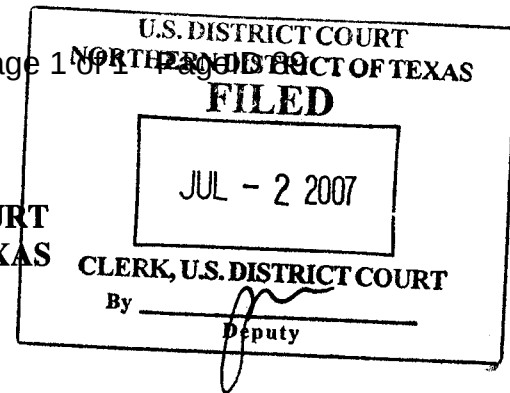


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



JESSE VAN MYERS,
Plaintiff,

v.

BILL CHAPMAN, Assistant
Superintendent, Ennis ISD,
Defendant.

3:07-CV-0865-B

ORDER

After making the independent review required by 28 U.S.C. § 636(b), the Court finds that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct, and they are accepted as the findings and conclusions of the Court.

IT IS, THEREFORE, ORDERED that Defendant Bill Chapman is DISMISSED with prejudice, *see* 28 U.S.C. §§ 1915e(2)(B)(ii), and that service of process is issued as to the Ennis ISD. Since Plaintiff was previously granted leave to proceed *in forma pauperis*, the Clerk is directed to prepare and issue SUMMONS for Superintendent Dr. Eddie Dunn, Ennis ISD, 303 W. Knox St., Ennis, Texas 75119, *see* Tex. Civ. Prac. & Rem. Code § 17.024(c), and deliver the same to the United States Marshal for service of process pursuant to Rule 4, Federal Rules of Civil Procedure, along with a copy of the complaint, and the recommendation of the Magistrate Judge.

Signed this 2nd day of July, 2007.


UNITED STATES DISTRICT JUDGE